## UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE **NASHVILLE DIVISION**

THE ESTATE OF GERALDINE	)	
TOPOLNICKI, et al.,	)	
	)	
Plaintiff,	)	
	)	No. 3-15-00058
v.	)	Senior Judge Haynes
	)	_ ·
BANK OF AMERICA, NA, et al.,	)	
	)	
Defendants.	)	
	,	

## ORDER

Before the Court is is the Magistrate Judge's Report and Recommendation (Docket Entry No. 25) to dismiss this action without prejudice for failure to prosecute. Plaintiffs have not filed an objection.

After de novo review, the Report and Recommendation is ADOPTED. Defendant Lawrence Wisniewski's motion to dismiss (Docket Entry No. 11) and motion to order joinder of a required party and, alternatively, motion to dismiss (Docket Entry No. 16) are **DENIED** as moot. This action is DISMISSED without prejudice.

This is the Final Order in this action.

It is so **ORDERED**.

ENTERED this the \_\_\_\_\_\_ day of July, 2015.

Senior United States District Judge